

Conference Engrossed

State of Arizona  
Senate  
Forty-seventh Legislature  
First Regular Session  
2005

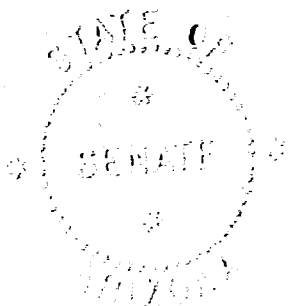
CHAPTER 280

# SENATE BILL 1325

AN ACT

AMENDING SECTIONS 28-1103 AND 28-1150, ARIZONA REVISED STATUTES; RELATING TO  
ENVELOPE PERMITS.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-1103, Arizona Revised Statutes, is amended to  
3 read:

4 28-1103. Excess size and weight special permits; definition

5 A. Subject to section 28-1104, subsection E, on application in writing  
6 and for good cause, the director with respect to highways under the  
7 jurisdiction of the department and a local authority with respect to highways  
8 under its jurisdiction may issue a special permit in writing authorizing the  
9 applicant to operate or move a vehicle or combination of vehicles of a size  
10 or weight of vehicle or load exceeding the maximum specified in this article  
11 or otherwise not in conformity with this chapter on any highway under the  
12 jurisdiction of the party granting the permit and for the maintenance of  
13 which the party is responsible.

14 B. A special permit may be issued for the movement of overdimensional  
15 and overweight loads that is subject to department rules for overdimensional  
16 and overweight loads. The director shall adopt rules for overdimensional and  
17 overweight loads. The director may establish fees to cover all or part of  
18 the cost of review and analysis of requests for overdimensional and  
19 overweight load permits. The department shall collect the fees, in addition  
20 to the special permit fee provided by this section.

21 C. Subject to this section, the director or local authority may issue  
22 the following special permits that are valid for one year and that may be  
23 limited by the director or local authority:

24 1. A special permit authorizing the applicant to transport a load by  
25 means of a truck or truck tractor, a semitrailer and one full trailer  
26 combination, if all of the following conditions are met:

27 (a) The combination does not exceed one hundred eleven thousand pounds  
28 of gross vehicle weight.

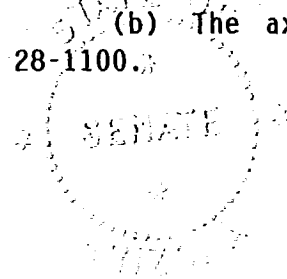
29 (b) The axle weight limitations are subject to sections 28-1099 and  
30 28-1100.

31 (c) The vehicle combination is traveling within twenty miles of the  
32 borders of this state and an adjacent state that allows such combinations of  
33 length and gross vehicle weight.

34 2. Except on the national intercity truck route network as designated  
35 by the United States secretary of transportation as required by the surface  
36 transportation assistance act of 1982, a special permit authorizing the  
37 applicant to transport a load by means of a truck or truck tractor, a  
38 semitrailer and not more than two trailers if all of the following conditions  
39 are met:

40 (a) The overall length of the CARGO CARRYING UNIT OF THE vehicle  
41 combination does not exceed ~~ninety-two~~ NINETY-FIVE feet.

42 (b) The axle weight limitations conform to sections 28-1099 and  
43 28-1100.



1 (c) The overall gross weight of the vehicle combination does not  
2 exceed one hundred twenty-one thousand pounds for nine axles or one hundred  
3 twenty-three thousand five hundred pounds for ten axles.

4 (d) The vehicle combination is traveling on either:

5 (i) Portions of an alternate state route that is located within four  
6 miles of and extends to the border of this state and an adjacent state that  
7 allows vehicle combinations of a truck or a truck tractor, a semitrailer and  
8 two trailers or semitrailers.

9 (ii) A state route that extends at least ten miles through an Indian  
10 reservation, does not cross the Colorado river and is located within twenty  
11 miles of and extends to the border of this state and an adjacent state that  
12 allows two trailers or semitrailers.

13 3. On application in writing by an owner of a watercraft as defined in  
14 section 5-301 and on good cause shown, a special excess width permit for a  
15 fee of forty-five dollars for each watercraft covered by the permit that:

16 (a) Authorizes the owner to move a vehicle loaded with the watercraft  
17 on a highway under the jurisdiction of the issuer if all of the following  
18 conditions exist:

19 (i) The total outside width of the vehicle and watercraft does not  
20 exceed ten feet.

21 (ii) The vehicle loaded with the watercraft is otherwise in conformity  
22 with the limitations prescribed by this chapter.

23 (iii) The watercraft is properly registered with the Arizona game and  
24 fish department.

25 (b) Contains the watercraft registration number.

26 D. The director may issue a special excess width permit for the  
27 operation of a vehicle with a reducible load only if both:

28 1. The load exceeds the width limitation prescribed in this section.

29 2. The load does not exceed ten feet in width.

30 E. Subject to this section and on receipt of an application, the  
31 director or local authority shall issue a permit that is valid for one year  
32 and that authorizes the commercial movement of recreational vehicles as  
33 defined in section 41-2142 that exceed the size restrictions prescribed in  
34 this article. There is no limit on the number of movements generated or the  
35 number of vehicles moved by the permittee under a permit issued pursuant to  
36 this subsection. Notwithstanding section 28-1104, additional permit  
37 requirements shall not be imposed on the commercial movement of these  
38 recreational vehicles if the recreational vehicles comply with section  
39 28-1093, subsection D.

40 F. FOR PURPOSES OF THIS SECTION "CARGO CARRYING UNIT" MEANS ANY  
41 PORTION OF A COMMERCIAL MOTOR VEHICLE COMBINATION USED FOR THE CARRYING OF  
42 CARGO, INCLUDING A TRAILER, SEMI-TRAILER OR THE CARGO CARRYING SECTION OF A  
43 SINGLE UNIT TRUCK. CARGO CARRYING UNIT DOES NOT INCLUDE THE TRUCK OR TRUCK  
44 TRACTOR.

1       Sec. 2. Section 28-1150, Arizona Revised Statutes, is amended to read:  
2       28-1150. Overdimensional permit advisory council

3       A. An overdimensional permit advisory council is established  
4 consisting of the following ~~seven~~ NINE members who are appointed by the  
5 governor:

6       1. One member representing the department of public safety.

7       2. One member representing the department of transportation.

8       3. ~~Three~~ FOUR members representing motor carriers.

9       4. One member from a municipal law enforcement agency of a city OR  
10 TOWN with a population of more than one hundred thousand persons ~~according to~~  
11 ~~the most recent United States decennial census.~~

12       5. ONE MEMBER FROM A MUNICIPAL LAW ENFORCEMENT AGENCY OF A CITY OR  
13 TOWN WITH A POPULATION OF ONE HUNDRED THOUSAND PERSONS OR LESS.

14       ~~5-~~ 6. One member representing the governor's office of community and  
15 highway safety.

16       B. The members serve staggered three year terms.

17       C. The overdimensional permit advisory council shall:

18       1. Meet at least annually.

19       2. Select from its members a person to serve as chairperson.

20       3. Advise and assist the department of transportation in developing  
21 rules required to administer this article and article 18 of this chapter.

22       4. Advise and consult with the MOTOR CARRIER INDUSTRY, department of  
23 transportation and state and local law enforcement agencies concerning  
24 matters relating to overdimensional permits.

25       5. Establish a mailing list that includes any party expressing an  
26 interest in the advisory council's activities. The advisory council shall  
27 provide the list to the department of transportation, and the department of  
28 transportation shall send notice by ~~regular~~ FIRST CLASS mail to each person  
29 on the list at least fifteen days before the date on which each meeting of  
30 the advisory council is to be held.

31       D. Members of the overdimensional permit advisory council are not  
32 eligible to receive compensation or reimbursement for expenses.

33       E. The overdimensional permit advisory council is subject to title 38,  
34 chapter 3, article 3.1.

35       Sec. 3. Overdimensional permit council; joint report

36       A. The director of the department of transportation, the director of  
37 the department of public safety and the chairman of the overdimensional  
38 permit advisory council shall jointly prepare and submit a report relating to  
39 overdimensional and overweight permit rulemaking and issuance. The report  
40 shall contain analysis on at least the following information:

41       1. The current status of an automated database and automated issuance  
42 of overdimensional and overweight permits.

43       2. Issues related to intrastate travel of overdimensional and  
44 overweight vehicles and uniformity of permit requirements across

1 jurisdictional lines of political subdivisions and engineering established by  
2 the department of transportation.

3 3. Recommendations to improve public safety by changing policies of  
4 the departments, rule-making practices and procedures and the criteria for  
5 issuing overdimensional and overweight permits.

6 4. Other state's best practices relating to issuance of  
7 overdimensional and overweight permits.

8 5. Recommendations relating to statutory changes pertaining to the  
9 oversight and issuance of overdimensional and overweight permits.

10 6. Other information the directors or the chairman deem necessary.

11 B. The council shall submit the joint report to the governor, the  
12 president of the senate, the speaker of the house of representatives on or  
13 before November 30, 2005 and shall provide a copy of this report to the  
14 secretary of state and the director of the Arizona state library, archives  
15 and public records.

16 Sec. 4. Repeal

17 Section 3 of this act relating to the overdimensional and overweight  
18 permit joint report is repealed from and after September 30, 2006.

APPROVED BY THE GOVERNOR MAY 11, 2005.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 12, 2005.



Passed the House April 12, 20 05,

by the following vote: 55 Ayes,

3 Nays, 2 Not Voting

Speaker of the House  
*Pro Tempore*

Chief Clerk of the House

Passed the Senate March 2, 20 05,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary to the Governor

Approved this \_\_\_\_\_ day of

\_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

S.B. 1325

HOUSE FINAL PASSAGE  
as per Joint Conference

Passed the House May 4, 2005,  
by the following vote: 56 Ayes,

2 Nays, 2 Not Voting

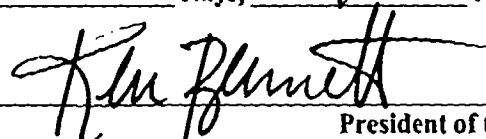
  
Speaker of the House

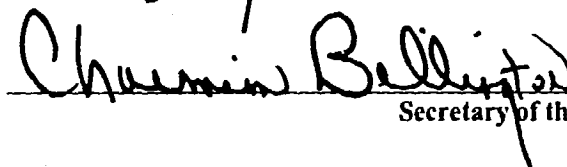
  
Chief Clerk of the House

SENATE FINAL PASSAGE  
as per Joint Conference

Passed the Senate May 2, 2005,  
by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

  
President of the Senate

  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor

this 5th day of May, 2005

at 3:45 o'clock P. M.

  
Secretary to the Governor

Approved this 11 day of

May, 2005,

at 5:00 o'clock P. M.

  
Governor of Arizona

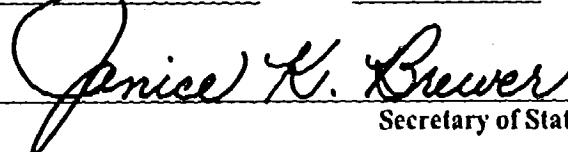
S.B. 1325

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 12 day of May, 2005

at 9:16 o'clock A. M.

  
Secretary of State